

REMARKS/ARGUMENTS

Claim Rejections – 35 USC 102

In the Office Action dated 8/11/05, Examiner states that:

Claims 1, 3, 4, 6-9, 11, 12, 14-17, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Tesmer, US Patent 2,510,198. A bendable extension arm, comprising a stiffening wire 4 comprising a first end and a second end, two wire receptors (40, 10), wherein one of said two wire receptors is attached to said first end and the other of said two wire receptors is attached to said second end, and a sheath 6 covering said stiffening wire, wherein said sheath prevents over bending of said stiffening wire. Two ferrules are shown as claimed. Attachment means is provided (44, 12). The stiffing wire is rigidly attached to the receptors. The wire receptors are couplers, as claimed. Note that the arm of Tesmer is capable of being attached to any desired device, including a paintbrush and pole, as claimed.

It is noted that in Examiner's analysis that Examiner omits from his discussion extremely important limitations of the Claims. In Claim 1, it is clearly stated that a limitation is:

... said bendable extension arm's resistance to bending when being utilized for extending a user's reach is dependent primarily upon the stiffness of said stiffening wire.

Nevertheless, in order to even further distinguish Applicant's invention from the prior art, Applicant has cancelled Claim 1 and added new Claim 28 that includes limitations not disclosed in the prior art.

The Stiffness of Tesmer's Device During Tool Usage
is Dependent on a Separate Locking Mechanism

It should be noted that the Tesmer device is similar to the device discussed by Examiner in the earlier Carr reference in that the Tesmer device also includes a locking mechanism that is utilized to stiffen the device when Tesmer's device is being utilized for holding a tool in a desired position. In Column 3, lines 17 – 23, Tesmer describes his locking mechanism:

In any event, as will be obvious, the construction is such that the rotation of nut member 20 in one direction or the other is adapted to adjust the tension of cable member 4 within the mated socket-like segments and

locked in either tightened or relatively rigid or relatively unflexed positions.

Please note the locking function of Tesmer's device is properly loosened only when the shape of Tesmer's device is being adjusted and properly stiffened only when the final desired position has been achieved. As stated by Tesmer starting at Column 1, line 22

A further object of the invention is the provision of a flexible positioner so constructed that the tension in the cable may be adjusted to such an extent that it may be rendered rigid once the operating tool itself has been properly positioned. This, of course, is in order that the proper position once achieved may be retained and not inadvertently altered. (emphasis added)

When Tesmer's device is being utilized for holding a tool in a desired position, the locking function of Tesmer's device should never be loosened. If it were loosened, Tesmer's device would simply not work properly to hold the tool in the proper position because Tesmer's device would be unable to hold its shape. To work properly, Tesmer's device absolutely requires that the locking mechanism is utilized when utilized for holding a tool. Therefore, in Tesmer the resistance to bending of Tesmer's device when it is being utilized for holding a tool in a desired position is dependent entirely or almost entirely upon Tesmer's locking mechanism.

Applicant's Independent Claim 28 is as follows:

A bendable extension arm for extending a user's reach while at least one tool is connected, said extension arm comprising:

- A. a deformable stiffening wire sufficiently deformable to be easily deformed by the hands of said user *but stiff enough to resist further bending in the course of tool usage*, said stiffening wire defining a first end and a second end,
- B. a first wire receptor attached to said first end, said first end comprising an attachment means for attaching a tool,
- C. a second wire receptor attached to said second end, and
- D. a sheath covering said stiffening wire for preventing over bending of said stiffening wire,

wherein said extension arm may be bent by hands of said user into desired shapes up to a bending limit determined by said sheath but remain stiff enough in said desired shapes to resist further bending during tool usage, and wherein substantially all resistance to bending during tool usage

below said bending limit is provided by said stiffening wire. (emphasis added)

Tesmer, as with Carr, requires a locking mechanism during tool usage. For a user to take the time to lock the position of the bendable extension arm utilizing a locking mechanism is a very time consuming and cumbersome process. Locking mechanisms can become fouled and/or otherwise fail. The appeal of Applicant's device is that it does not require a separate locking mechanism during tool usage. Rather, for Applicant's device substantially all resistance to bending during attachment device usage is provided by the stiffening wire.

Claims 21 - 26

These Claims are not disclosed in the prior art and should therefore be allowable for the reasons stated above.

New Claims 29 and 30

New Claims 29 and 30 are dependent on Claim 28 and include limitations not disclosed by the prior art. They should therefore be allowable.

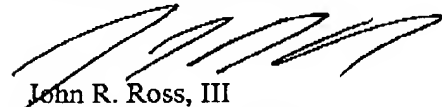
Claim Rejections – 35 USC 103

Examiner has also rejected claims 2, 10, 21-26, 5 and 13 under 35 USC 103. These claims should be allowable for the reasons stated above.

Conclusion

Thus, for all the reasons given above, this application, as the claims are presently limited, defines a novel, patentable, and truly valuable invention. Hence allowance of all outstanding claims in this application is respectfully submitted to be proper and is respectfully solicited.

Respectfully Submitted,



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